

9/22

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

-----X  
JOHN VACCA, DENNIS PERRY, MARK  
RUGGIERO, JEFFREY ISAACS, KIRK  
CONAWAY, as TRUSTEES OF THE  
LOCAL 917 PENSION FUND, LOCAL 917  
PENSION FUND,

Plaintiffs,

- against -

BRIDGE CHRYSLER JEEP DODGE, INC.,  
d/b/a BRIDGE CHRYSLER PLYMOUTH,

Defendant.  
-----X

Order  
The recommendation  
of the U.S. Mag. Judge  
is adopted.

s/Edward R. Korman

9/23/08  
**REPORT AND  
RECOMMENDATION**

CV 06-3543 (ERK) (AKT)

**FILED**

IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ SEP 25 2008 ★

**BROOKLYN OFFICE**

**A. KATHLEEN TOMLINSON, Magistrate Judge:**

**I. PRELIMINARY STATEMENT**

Plaintiffs John Vacca, Dennis Perry, Mark Ruggiero, Jeffrey Isaacs, and Kirk Conaway, as Trustees of the Local 917 Pension Fund, and the Local 917 Pension Fund commenced this action against Defendant Bridge Chrysler Jeep Dodge, Inc., doing business as Bridge Chrysler Plymouth, pursuant to Sections 502, 515 and 4301 of the Employee Retirement Income Security Act of 1974 ("ERISA") as amended 29 U.S.C. §§ 1132, 1145, and 1451 to compel Defendant to pay withdrawal liability to Plaintiff Local 917 Pension Fund as required by the Mutliemployer Pension Plan Amendments of 1980 ("MPPAA"), 29 U.S.C. § 1381, et seq. Am Compl. ¶ 1. Currently pending before the Court is Plaintiffs's unopposed motion for summary judgment [DE 27] which has been referred to me by District Judge Korman for a Report and Recommendation.